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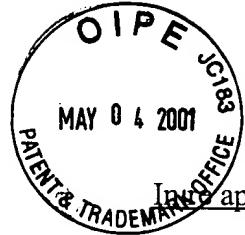
MAY 8 - 2001

PATENT

Technology Center 2100

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#11



In re application of:

APPLICANTS: Mousseau et al.

TITLE: System and Method for Pushing Information from a Host System to a Mobile Data Communication Device

SERIAL NO.: 09/782,107

FILING DATE: February 13, 2001

EXAMINER: not yet assigned

GROUP ART UNIT: not yet assigned

ATTORNEY DOCKET NO.: 555255012189

HON. ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

**DECLARATION OF DAVID B. COCHRAN IN SUPPORT OF PETITION  
TO MAKE SPECIAL BECAUSE OF ACTUAL INFRINGEMENT**

I, David B. Cochran, am the Attorney of Record in this case and make the following declarations:

1. There is an infringing device actually on the market and an infringing method in use.
2. I have made a rigid comparison of the alleged infringing device and method with the claims of the above referenced application. In my opinion, some of the claims are unquestionably infringed.
3. I have a good knowledge of the pertinent prior art. All such material art is already of record, having been filed in an Information Disclosure Statement.

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DIRECTOR OFFICE  
TECHNOLOGY CENTER 2100

I hereby certify that this correspondence is being deposited today with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on 5-1-2001

By: Deborah A. Patterson

Respectfully submitted,

David B. Cochran

David B. Cochran  
Reg. No. 39,142  
JONES, DAY, REAVIS & POGUE  
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Date: 4/30/01